

# CONSTRUCTION SERVICES COMMISSION

Heber Wells Building  
160 East 300 South, Room 474  
Salt Lake City, Utah  
January 31, 2007 Minutes

**Meeting convened at** 9:15 AM

**Adjourned at** 11:45 PM

**DOPL STAFF** David Stanley, *Director*  
Dennis Meservy, *Bureau Manager*  
Wayne Holman, *Investigations Supervisor*  
Yvonne King, *Commission Secretary*  
Clyde Ormond, *Bureau Manager (Bureau 6)*  
Ray Walker, *Reg/Comp Officer*

**MEMBERS PRESENT** Bradley Stevens, *Chairman & Electrical Board Chairman*  
Wendy Gibbs  
Larry Love, *Burglar Alarm Chairman*  
Steve Bowers  
Floyd Jackson  
Joel (Marty) Jolley  
Robert Dudley, *Plumber's Board Chairman*  
Carl Tippets

**MEMBERS ABSENT** John Wilcox

**VISITORS** Jason Berry, *State Energy Program*  
Dirk Burton, *Able Electric & State Electrical Board*  
Erik Eastlyn, *Contractors School, Inc*  
Ross Ford, *HBA*  
Ken Gardner, *USEA*  
Tami Hartvigsen, *ICC*  
Ron Jones  
Harold Weight, *State Electrical Board*

**BUSINESS** Robert Dudley made a motion to approve the November 2006 minutes. Floyd Jackson seconded the motion and all members voted in favor.

**SOLAR PHOTOVOLTAIC** Ken Gardner of the Utah Solar Energy Association requested the 25 kilowatt limitation be removed from the proposed S202-Solar Photovoltaic Contractor license classification. The larger systems are just components of the smaller systems and when this 25 kilowatt limitation was proposed he was unaware of the work that was already taking place in the industry. Stevens indicated issues involving this license classification have been going on since last September. It was time to move forward with the current language. The rule could be revised at a later date if the commission deemed it necessary.

Carl Tippetts made a motion to approve the current language for the S-202 Solar Photovoltaic classification as written, but to send it back to the Electrical Board for further clarification. Larry Love seconded the motion and all members voted in favor.

## **MULTI-STATE ELECTRICAL**

Bradley Stevens presented an agreement for Idaho to be readmitted to the Multi-State Electrical Reciprocal Group. This agreement with the Multi-State Group would have no affect on the current reciprocal agreement for electricians between Utah and Idaho. Jackson made a motion to approve the agreement. Dudley seconded the motion and all members voted in favor.

Stevens reviewed a reciprocal agreement for Texas to be admitted in the Multi-State Reciprocal Group. Reciprocity with this group only involves journeyman electrician. A motion cannot be made, because the issue was not on the agenda. However, the matter will be addressed at the upcoming February Commission meeting.

## **LEGISLATION**

Ray Walker went through proposed legislation and explained how to track the bills on the internet. Clyde Ormond discussed House Bill 324. This proposed bill would raise the handyman exemption from less than a thousand dollars to less than five thousand dollars. Ormond indicated this bill had the potential to deregulate the burglar alarm industry. There was also discussion about the potential negative effects the bill would have on the heating, ventilating and air conditioning (HVAC) and electrical service industries. Stevens suggested the Commission members contact their various groups and let them know about the bill. If the opportunity arose, Stevens indicated he was willing to speak in opposition against the bill to the state legislature. Larry Love made a motion to give Stevens permission to speak against HB 324 in behalf of the Commission. Dudley seconded the motion and all members voted in favor.

Senate Bill 102 bill would create the master license classification for plumbers. The Commission was in favor of this bill and wanted to give Stevens the opportunity to speak in favor of it to the state legislature if the opportunity arose. Larry Love made a motion to allow Stevens to speak in favor of SB 102 in behalf of the Commission. Jackson seconded the motion and all members voted in favor.

## **INSURANCE**

Jackson suggested having a system to check contractor liability insurance like they do for automobile insurance.

The automobile data base is maintained by a private company that notifies car owners when their insurance is dropped. There are legal ramifications if the car owner fails to act. Dennis Meservy indicated this concept needed to be supported by industry to be successful. The state legislature addressed this very issue in 2004 and the bill was defeated by opposition from the insurance industry. Ross Ford said he would address the issue with Taz Biesinger of the Home Builders Association. Steve Bowers agreed to find out who represented the insurance industry and invite them to meet with the Commission. Liability insurance will be an agenda item for the February Commission meeting.

### **INVESTIGATIONS**

Wayne Holman submitted a report on criminal misdemeanor filings, criminal felony filings, administrative filings, citation fines, administrative fines, cases received, cases assigned, cases closed, citations issued, site surveys, building inspectors contacts, MHRV inspections, owner/builder permits received, and owner/builder investigations. This report gave a comparison for the years 2003 to October of 2006. Holman also stated there is a new category in the report for letters of warning or concern. Eighteen of these letters had been sent out by investigations in the past month. Holman indicated the letter of warning or concern is not a disciplinary action and imposes no fines.

### **DISCIPLINARY REVIEW**

Lucas R. Beckstead

Meservy presented an Order Reinstating the License for Lucas R. Beckstead to practice as an apprentice plumber. Respondent has satisfied the terms and conditions as set forth in the Stipulation and Order to be taken off probation. Tippetts made motion to approve the Order. Jackson seconded the motion and all members voted in favor.

Landscape Plus (Michael Italsano)

Meservy presented an Order Reinstating the License for Landscape Plus to practice as a contractor. Respondent has satisfied the terms and conditions as set forth in the Stipulation and Order to be taken off probation. Marty Jolley made a motion to approve the Order. Love seconded the motion and all members voted in favor.

Virgil Dewayne Lee

Meservy presented an Order Reinstating the License for Virgil Dewayne Lee as a Master Electrician. Respondent has satisfied the terms and conditions as set forth in the Stipulation and Order to be taken off probation. Love made a motion to approve the Order. Jolley seconded the motion and all members voted in favor.

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Gary Case Roofing; Gary Case

Holman presented a Stipulation and Order for Gary Case; doing business as (DBA) Gary Case Roofing to practice as a contractor. The license shall be placed on probation subject to the terms and conditions stated in the memorandum until November 30, 2009. Love made a motion to approve the stipulation. Dudley seconded the motion and all members voted in favor.

**All business concluded meeting adjourned.**

*Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order.*

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Commission Chairman

\_\_\_\_\_  
Date

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Bureau Manager

\_\_\_\_\_  
Date